

APPLICANT'S RECORD OF TELEPHONE INTERVIEW

Applicant appreciates the Examiner granting time to discuss by telephone the Office Action on July 7, 2006.

It is Applicant's understanding that the Examiner was agreeable to amending the independent claims to identify that the PDU is forwarded through the broadband packet network to an egress gateway irrespective of routing information contained within the legacy data stream. This amendment clarifies that the legacy data stream is transported across a broadband network between an ingress and an egress gateway. Applicant also discussed that the broadband packet network is essentially transparent to the legacy networks and therefore any routing information contained in the legacy stream does not impact routing in the broadband network. The Examiner also indicated that if the Applicant provides identification of support in the description that routing of the PDU is not performed based upon information contained within the legacy data stream it would be sufficient to overcome the rejection under 35 USC § 112. It is Applicant's understanding that the claims would be in a form for allowance with the suggested amendment.

Referring now to the Office Action.

REMARKS

A total of 113 claims remain in the present application. The foregoing amendments are presented in response to the Office Action mailed on May 16, 2006, wherefore reconsideration of this application is requested.

By way of the above-noted amendments, original independent claims 1, 41, 67 and 82 have been amended to more clearly define features of the present invention. The remaining independent claims have not been amended in this response.

In preparing the above-noted amendments, careful attention was paid to ensure that no new subject matter has been introduced.

Referring now to the text of the Office Action:

The Examiner asserts that claims 1, 4-18, 20-41, 45-59, 61-82, 85-100 and 102-123 are rejected under 35 USC § 112, first paragraph as failing to comply with the written description requirement. The Examiner asserts that the independent claims 1, 41, 67 and 82 were amended to recite that the PDU is forwarded through the broadband network to an egress gateway “irrespective of routing information contained within the data stream”. The Examiner cited that he cannot find support for this limitation in the specification. The Examiner states that the purpose of networking is to send information from a source to a destination. In order for the information to arrive at the correct destination, the network would have to determine the destination from the data stream and then forward the stream accordingly.

Applicant submits that the present invention enables universal, protocol independent extension of legacy data services across a broadband packet network by transparently conveying data streams associated with such data services through the broadband packet network. As stated on page 14, lines 14-27, of the detailed description “... in FIG. 1, a pair of legacy networks 4a,4b are connected to a broadband packet network 6 via respective gateways 8a,8b. The legacy networks 4a,4b may be, for example, respective domains of the PSTN, enterprise site networks, or physical connections to communications devices (e.g. a Plain Old Telephone Service [POTS] loop serving a telephone handset). Similarly, the legacy networks 4a,4b may operate in accordance with any legacy circuit-switched or packet-based communications protocol (e.g. E1, T1, SNA, video, FR, ISDN etc.). Each gateway 8 is coupled to its respective legacy network 4a,4b via one or more physical interfaces 10a,10b, conforming to the connection standard applicable to the legacy network 4”. The trunk interconnection between the legacy networks is

replaced by the broadband network and as stated on page 15, lines 14-23, “... *for a trunked connection through the broadband packet network 6 between originating and destination points 12a,12b, it is assumed that known methods are utilized to set up a connection between the originating point 12a and a first (i.e. ingress) gateway 8a. It is also assumed that known methods are used to set up a connection between the destination point 12b and a second (i.e. egress) gateway 8b, and to establish signaling between the two gateways 8a,8b through the broadband packet network 6*”. The connection between the legacy network is a defined connection between two legacy networks. As stated on page 16, line 21 to page 17, line 6, “*the present invention provides protocol independent adaptation services between legacy data streams and protocol data units (PDUs) of the broadband packet network. This is accomplished by treating a legacy data stream received at the ingress server 8a as a serial byte stream. As shown in FIG. 2, the serial byte stream 16 is split into successive packets 18, which may be of arbitrary size. The packets are inserted into respective containers 20. Each container 20 includes a header portion 22 that conveys data usable by the egress gateway 8b for processing received containers 20 to regenerate the serial byte stream 16. In order to transport the containers 20 across the broadband packet network 6, each container is inserted into a respective protocol data unit(PDU) 24 of the broadband packet network in a conventional manner*”.

It should therefore be understood from the identified description and the disclosure as a whole, that the forwarding of the PDU from the ingress gateway to the egress gateway occurs irrespective of the routing information contained within the legacy data stream. A connection is set up between two gateways attached to the respective legacy networks providing an efficient protocol-independent extension of data services from legacy networks through a broadband packet network. In light of the foregoing, it is believed that the pending claims and the written description comply with 35 USC § 112, first paragraph. Favourable reconsideration and passage to issuance are solicited.

If any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this response, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 19-5113.

Respectfully submitted,
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Date: July 14, 2006

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